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VOLVO TRUCKS NORTH AMERICA, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO**

RAYMOND P. MARIOLLE,  
  
Plaintiff,

v.

VOLVO GROUP NORTH  
AMERICA, INC.;  
CONSOLIDATED METCO, INC.;  
AMSTED INDUSTRIES, INC.;  
AND DOES 1 through 25, inclusive,  
  
Defendants.

CASE NO. C-09-1209-MMC (MEJ)  
CASE NO. C-09-4250-MMC (MEJ)

**~~PROPOSED~~ ORDER**  
**CONTINUING TRIAL DATE AND**  
**AMENDING PRETRIAL**  
**PREPARATION ORDER**

**Current Trial Date: October 12, 2010**

WHEREAS, the current trial date for Case No. C-09-1209 and related Case No. C-09-4250 is October 12, 2010;

WHEREAS, the final Pretrial Conference is currently set for September 28, 2010.

WHEREAS, the expert disclosure deadline is currently set for May 21, 2010, and the expert discovery cutoff date is currently set for June 25, 2010;

WHEREAS, the parties have stipulated and agreed to continue the trial date six months and amend the Court's October 9, 2009 Pretrial Preparation Order in

1 accordance therewith, and for good cause shown;

2 The current trial date is hereby continued, and the Court's Pretrial  
3 Preparation Order is amended as follows:

4  
5 JURY TRIAL DATE: May 2, 2011 at 9:00 a.m., Courtroom 7, 19<sup>th</sup>  
6 floor.

7  
8 NON-EXPERT DISCOVERY CUTOFF: November 19, 2010.

9  
10 DESIGNATION OF EXPERTS:

11 Plaintiff/Defendant: No later than December 10, 2010.

12 Plaintiff/Defendant: Rebuttal no later than December 28, 2010.

13  
14 EXPERT DISCOVERY CUTOFF: January 14, 2011.

15  
16 DISPOSITIVE MOTIONS shall be filed no later than January 28, 2011, and shall  
17 be noticed for hearing 35 days thereafter

18  
19 PRETRIAL CONFERENCE DATE: April 19, 2011 at 3:00 p.m.

20  
21 MEET AND CONFER (Civil L.R. 16-10(b)(5): Lead trial counsel shall meet and  
22 confer no later than March 14, 2011.

23  
24 FURTHER STATUS CONFERENCE: February 4, 2011 at 10:30 a.m.

25  
26 FURTHER STATUS CONFERENCE STATEMENT DUE: January 28, 2011.

1 ADDITIONAL ORDERS:

2 The parties' joint request for an order affording plaintiffs leave to amend their respective  
3 pleadings to add Labrie as a defendant is hereby GRANTED, conditioned on plaintiffs'  
4 filing their respective amended complaints no later than May 21, 2010 and serving Labrie  
no later than June 18, 2010.

5  
6 IT IS SO ORDERED.

7  
8 DATED: May 11, 2010

  
MAXINE M. CHESNEY  
United States District Judge